

TOWN OF NORTHFIELD, VERMONT
BOARD OF SELECTMEN
Minutes of March 22, 2016

- I. **ROLL CALL.** Chair K. David Maxwell, Selectmen Lynn Doney, Nathan Freeman, Matthew Gadbois, and Kenneth W. Goslant. Also present were Town Manager Jeffrey Schulz, Acting Clerk Kenneth McCann, Finance Director Laurie Baroffio, Utility Superintendent Patrick DeMasi, Daniel Currier (Central Vermont Regional Planning Commission), Sally Davidson (Recreation Committee), Jeffrey Ott (American Legion Post 63), Robert Piekarski (American Legion Post 63), Lonnie Wade, Tina DeMasi, Norm Andrews, Gerard LaVarway, and Kathleen Lott (*Northfield News*).

Chair Maxwell called the meeting to order at 7:00 p.m.

- II. **PLEDGE OF ALLEGIANCE.** The Board members and the public were asked to rise and recite the Pledge of Allegiance.

- III. **SET/ADJUST AGENDA.** There were no changes to the posted agenda.

- IV. **PUBLIC PARTICIPATION (SCHEDULED):**

- a. **Daniel Currier, Central Vermont Regional Planning Commission: Stormwater Retention Basin.** Mr. Currier had addressed the Select Board at their February 9, 2016 regular meeting regarding plans to install two (2) bio-retention catch basins by the Holland Place parking area between Depot Square and the Dog River. This project would be funded by state grant money and would provide seven (7) acres of stormwater treatment coverage. There had been some concerns expressed at that meeting about the estimated twelve (12) parking spaces that would be lost. Mr. Currier conducted a survey this past week on how many cars are parked there throughout the day and early evening. As a result, the design plans were changed with the remaining parking spaces realigned by angling, which should reduce the number lost. Selectman Gadbois noted that the adjacent American Legion has special events each month that require more parking than usual. Mr. Currier stated that after considering several proposals, a project engineer has been hired who will be working on finalizing the project designs over the next couple weeks. A final draft will be presented at the next regular Select Board meeting (04/12/16) and, if there are no objections, the next step is to go out to bid for the construction phase. The project could be completed this summer.

Selectman Gadbois asked what would happen if the Select Board decides not to proceed with this project. Mr. Currier said that the grant funds would have to be returned to the state. If this decision was reconsidered, the whole grant application process would have to be restarted. Selectman Gadbois asked why the catch basins could not be put underground in order to prevent the loss of parking. Mr. Currier said that he could ask the engineer to look into this possibility. However, such catch basins usually are left exposed in order to hasten the evaporation process. At most, the basins would hold no more than two feet (2') of stormwater. Manager Schulz believes that any hazard to the public would be minimal. Chair Maxwell asked if any of the remaining parking spaces could be on railroad property. Mr. Currier said that the plan was to keep the spaces on municipal property. The parking area would have to be re-striped in order to indicate the realigned spaces. It still needs to be determine where the propane tank on the site will be relocated. Mr. Currier will present any suggestions to the engineers.

Chair Maxwell noted that Manager Schulz had distributed a letter describing the project to the Depot Square business/property owners. He asked if there had been any feedback. Manager Schulz said that he had received a couple responses. Chair Maxwell then asked if any member of the public would like to comment on the project. Jeffrey Off from the American Legion believes that a standard catch basin would provide the same service as the project proposed without taking up so much room. He asked if these new catch basins were common in Vermont. Mr. Currier stated that dozens of them have been installed, including several in Montpelier, Waterbury, etc. There are many more now in the planning stages. Chair Maxwell noted that Norwich University (NU) installed one in its new parking lot on Central Street.

Selectman Freeman noted that the Vermont State Legislature passed a new Clean Water Act about a year ago. Mr. Currier confirmed that Act 64 established new guidelines for municipalities, businesses, etc. regarding stormwater diversion, treatment, etc. The Vermont Agency of Natural Resources (ANR) is encouraging the installation of bio-retention catch basins in order to comply with the new requirements. Selectman Freeman said that should the Select Board decide not to proceed with this particular project (and thus forfeit the funding), it would only be postponing the inevitable. Like every other Vermont community, Northfield will be required to comply with the new environmental rules. Mr. Currier added that the federal Environmental Protection Agency (EPA) is writing up new stormwater rules as well. Manager Schulz stated that another benefit of installing these catch basins is they will divert and treat stormwater that used to go from the storm drains directly to the Wastewater Treatment Facility (WWTF).

Robert Piekarski is the current American Legion president and he said that he only recently heard of this proposed project. He is concerned that the new parking spaces are too close to the building's back door and this will impede deliveries, etc. Chair Maxwell would like the project engineer to reach out to the American Legion and the other Depot Square property/business owners about their individual concerns. Mr. Currier confirmed that this outreach would be done. Mr. Piekarski also is concerned about where the propane tank will be relocated since the Legion holds a number of barbeques in the parking lot over the summer.

Kathleen Lott is concerned that a small child might find the new catch basins “attractive nuisances” and climb into one and drown in the two feet (2') of standing water. She would like some safeguards installed. Mr. Currier believes that even after heavy rainstorms, the catch basins should drain out within twenty-four (24) hours. In addition, vegetation will be planted around the catch basins to impede public access. Selectman Doney suggested that the engineer should look into determining the extra cost of covering the catch basins. Chair Maxwell is concerned about the “rain garden” at the bottom of Central Street for the same reason. If possible, he would like to divert some money from the proposed project to fix what is wrong with the Central Street structure. Mr. Currier suggested it was possible to fill the culverts with softball-sized rocks through which the water could flow but would eliminate the drowning hazard,

Utility Superintendent Patrick DeMasi said it would be very difficult to evaporate collected stormwater through a cover. He added that there are a number of these bio-retention catch basins on the NU campus and there haven't been any safety problems associated with them. Mr. DeMasi added that the ANR is going to require Vermont communities to install these catch basins in coming years so it would be best for Northfield to take advantage of the grant monies now available and get this one done.

Sally Davidson asked how many of these new catch basins would need to be installed in Northfield and where would they be located. Mr. Currier said a study was done that determined three (3) sites: Central Street (completed), Holland Place (now under discussion), and on Water Street near the laundromat. Other locations are possible but they have not yet been identified. Chair Maxwell added that Kenyon's Hardware plans to install one on its property this summer. Selectman Doney asked what the effects were when untreated stormwater reached the WWTF. Mr. DeMasi said that it is a very costly procedure to remove sand and grit from the filtration equipment. In addition, the abrasive nature of the stormwater acts to shorten equipment life. Therefore, there are real cost savings for the community when stormwater is treated and diverted into the river before it reaches the WWTF. Chair Maxwell would like to be sure that any concerns expressed by Depot Square property/business owners are addressed in the draft plans. Mr. Currier will see that this is done.

V. DEPARTMENT HEAD REPORT

- a. **Finance Director Laurie Baroffio: Budget Status Reports.** Ms. Baroffio had distributed financial statements to the Select Board members that covered the current fiscal year through February 2016. Ms. Baroffio believes that the Town General budget should have a projected surplus of \$45,450 at the end of the current fiscal year (06/30/16). This is largely due to revenue increases in Ambulance billing as well as savings in personnel costs and heating fuel. It does appear that the Northfield Fire Department (NFD) will be about \$2,680 over budget due to increased calls for service. The Northfield Police Department (NPD) will be about \$33,200 over budget and most of this is due to the replacement of a departed officer with a higher-salaried one who was already state-certified. Manager Schulz said that the decision to hire a certified officer was based upon past Select Board consensus that it was better to hire a certified officer than to cover the expenses of a younger officer to go to the Policy Academy when that officer might decide to seek employment elsewhere after a couple years. Selectman Freeman said that there seemed to be longtime cost savings in avoiding officer turnover as much as possible. Ms. Baroffio added that the Highway Department budget now projects a fiscal year surplus of \$61,800. This is largely due to personnel cost savings; reduced gasoline and diesel fuel prices; and lower than expected road salt purchases. Chair Maxwell thanked Ms. Baroffio for the update and for her good work throughout the year.

VI. APPROVAL OF MINUTES

- a. **March 8, 2016 (Regular Meeting).** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the minutes. **Motion passed 5-0-0.**

VII. APPROVAL OF BILLS

- a. **Warrant #19-16.** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve Warrant #19-16 in the amount of \$180,760.56. Selectman Doney asked about Gillespie Fuels invoices for “no heat” at the Brown Public Library and the Police Station. Manager Schulz said that there were problems with the heating systems in both buildings that had to be repaired. Selectman Gadbois asked about a payment for a “Water Bond.” Manager Schulz said that this was an ongoing payment for a completed water project. He can check and get details on which project was involved and how much still needs to be paid. Chair Maxwell said that the Select Board should get full updates on all outstanding bonds when the FY 2016/2017 utility budgets (water, sewer, and electric) are presented for approval. **Motion passed 5-0-0.**
- b. **Approval of Bi-Weekly Payroll through March 13, 2016.** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the biweekly payroll in the amount of \$82,755.96. **Motion passed 5-0-0.**

VIII. SELECT BOARD

- a. **Bond Anticipation Note (RSMS Program FY2013/2014).** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve and sign the Bond Anticipation Note for the RSMS Program FY2013/2014 in the amount of \$40,315 at 1.59% interest; to approve and sign the Bond Anticipation Borrowing Resolution; and to approve and sign the No-Arbitrage and Use of Proceeds Certificate. Manager Schulz stated that this was the annual refinancing of an old bond at a lower interest rate. This covers highway projects that already have been completed. It was noted that the current RSMS (Road Surface Management System) program is funded out of the highway maintenance or CIP budgets (instead of borrowing). Selectman Goslant would like the Highway Subcommittee to meet soon so that there will be some clarity regarding upcoming road projects. **Motion passed 5-0-0.**

- b. **Firework Display Permit Application.** Manager Schulz stated that at the last meeting (03/08/16) he had submitted for Board discussion a first draft of a new firework display permit application. Based on comments at that meeting, the form has been revised to add the Town Manager to the list of town officials who must approve the form (along with the Fire Chief and Police Chief) and increase the timeline for providing notice to abutting property owners from fifteen (15) days to twenty (20). Manager Schulz said he will present a general policy regarding firework displays at the next meeting (04/12/16). Selectman Doney is pleased with the changes but would like to add the requirement that the Fire Chief and the Police Chief must inspect the proposed launching site before giving their approval. Selectman Gadbois agreed that site inspection is needed. Gerard LaVarnway is glad that the abutting landowners will be notified before the permit is presented for municipal approval. He suggested that formal approval of the revised permit form be delayed until the new firework display policy has been presented. Chair Maxwell felt that this was a good idea. Selectman Doney believes that the person/business in charge of the firework display should be able to show proof of liability insurance before the permit is approved. Chair Maxwell agreed that this requirement should be in the general policy.
- c. **Establishment of Development Review Board.** Chair Maxwell said there is a proposal before the Select Board to replace the current Zoning Board of Adjustment (ZBA) with a Development Review Board (DRB). The DRB would assume all of the ZBA's former responsibilities along with development review functions that were at the previous meeting regarding whether this action would conflict with the current zoning regulations. Manager Schulz has reviewed this issue and found no conflicts. Selectman Freeman added that all the questions he had have been answered. Motion by Selectman Gadbois, seconded by Selectman Freeman, to approve and sign the resolution that will establish the Northfield Economic Development Board effective April 1, 2016. **Motion passed 5-0-0.**
- d. **Appointment of Brown Public Library Trustee.** There is a vacancy on the Brown Public Library (BPL) Board of Trustees due to resignation. The BPL Trustees met earlier this month (03/08/16) and voted to recommend that the Select Board appoint Cynthia Bushey to fill this vacancy until the next Town Meeting (03/07/17). Motion by Selectman Gadbois, seconded by Selectman Goslant, to appoint Cynthia Bushey to the vacancy on the BPL Board of Trustees. **Motion passed 5-0-0.**
- e. **Appointment of Various Town Officials.** The terms of several Select Board-appointed Town positions will expire at the end of this month. The vacancies were advertised to the general public and the current office holders were contacted to determine whether they would like to be reappointed.
 - 1. **Conservation Commission.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to reappoint Laura Hill-Eubanks, Pam Knox, and Ruth Ruttenberg to new four (4) year terms. **Motion passed 5-0-0.**
 - 2. **Recreation Committee.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to reappoint Sally Davidson to a new three (3) year term, to appoint Jessica Amell to a three (3) year term, and to appoint Christopher Cummings to fill the remaining two (2) years of a three (3) year term. **Motion passed 5-0-0.**
 - 3. **Planning Commission.** No one expressed interest in the vacancy so it will be re-advertised.
 - 4. **Zoning Board of Adjustment.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to reappoint Michael Bailey to a new five (5) year term. **Motion passed 5-0-0.** No one expressed interest in the other vacancy so it will be re-advertised.
 - 5. **Town Service Officer.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to reappoint Mark Podgwaite. This is an annual appointment. **Motion passed 5-0-0.**
 - 6. **Tree Warden.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to reappoint Russ Barrett. This is an annual appointment. **Motion passed 5-0-0.**
 - 7. **Central Vermont Regional Planning Commission (CVRPC) Representative.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to reappoint Laura Hill-Eubanks. This is an annual appointment. **Motion passed 5-0-0.**

IX. BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS

- a. **Western Avenue Municipal Property.** Selectman Doney is concerned that the former owner of this property continues to use it as a parking lot, dumping ground, etc. He would like "No Trespassing" signs installed and enforced by the NPD. If the vehicles are not removed immediately, Selectman Doney would like them towed at the owner's expense. The Town is trying to sell this property for a good price so it should not be allowed to become a junk yard.
- b. **Jarvis Lane Noise Complaints.** Selectman Doney has been monitoring the situation since the last meeting. There didn't seem to be any problems but this might be due to the fact that the NU students believed to be the cause of the problems might have been away on Spring Break.
- c. **Cumberland Farms LED Sign.** Selectman Doney asked if Cumberland Farms has done anything to dim this new sign that has caused so much trouble to the abutting property owner (Lonnie Wade). Manager Schulz said that he has had numerous discussions with Cumberland Farms executives regarding this problem. There have been promises in writing to reduce the level of illumination by installing a film over the sign. Selectman Doney felt this has been a very distressing situation for Mr. Wade and he would be willing to be on hand when the work is done to make sure that it is done properly and has the desired effect.

Mr. Wade was present tonight in order to provide his take on the situation. He reported that last Thursday (03/17/16), someone hired by Cumberland Farms damaged his hedges without permission and claimed that this was necessary to access the sign to install the film. After some discussion with this individual, Mr. Wade received the impression that installing this film would do little if anything to resolve the problem. He also is increasingly frustrated that this issue has dragged on for several months since the sign was first installed and nothing is being done. He is trying to sell his home and believes that three (3) possible buyers backed out due to the excessive sign glare. Manager Schulz has spoken to the Planning Commission (PC) about whether Cumberland Farms remains in compliance with the conditions imposed when the sign permit was approved (10/20/14). Among these was that the PC reserved "the right to request that the brightness level of the signs be adjusted." Should Cumberland Farms do nothing to resolve the problem, the PC may revoke this approval and require that the sign be removed, relocated, etc.

Selectman Freeman is very sympathetic to Mr. Wade and the financial and quality of life hardships that he has endured. Selectman Freeman also believes that Manager Schulz has taken all the appropriate steps to date but he would like this matter resolved as soon as possible. Manager Schulz said that the PC has suggested that he continue to work with Cumberland Farms in order to tone down the sign's brightness. If this is not done in a timely manner, the PC will revisit the matter. Mr. Wade said that he knew that there might be some issues when he moved next to a convenience store but this new sign is beyond the pale. He added that Cumberland Farms has never been a good neighbor regarding trash issues, etc. Chair Maxwell thanked Mr. Wade for bringing this matter to the Select Board's attention and he hopes that it will be resolved soon to everyone's satisfaction.

- d. **Fairgrounds Road Bridge.** Selectman Doney would like to see the area between where the bridge sidewalk ends and the road begins to be paved. It now is a tripping hazard for anyone walking that way. Manager Schulz will look into this.
- e. **Northfield Police Department Drug Arrest.** Selectman Freeman saw a news item today regarding the 1,000 bags of heroin seized by the NPD last week (03/17/16) after executing a search warrant on a suspicious vehicle Officer Chris Quesnel stopped on I-89 a few days previous. Given the current opiate problem in Vermont, Selectman Freeman commended Officer Quesnel and the NPD for their diligence.
- f. **Turkey Hill Maple Lease Agreement.** Chair Maxwell asked if the lease agreement has been reached with Turkey Hill Maple that would allow them to tap trees on a municipal property. Manager Schulz confirmed that the agreement has been signed and returned. Selectman Freeman believes that a number of community members were not happy with this agreement or the process taken to reach it. Selectman Freeman thinks that the agreement was made in haste and he would not be surprised if it was challenged. Selectman Goslant noted that the municipal property affected has been wrongly referred to several times as being part of the "Town Forest." Selectman Goslant would like to emphasize that these are two (2) different locations and he has no problem with the agreement.
- g. **Front Porch Forum.** Selectman Gadbois is concerned that with the Front Porch Forum now designated as one of the Town's official media outlets, an Open Meeting Law issue might arise should Board members choose to discuss municipal concerns on the website. Manager Schulz will look into this possibility.

X. **TOWN MANAGER'S REPORT.** Manager Schulz had nothing to add to his written report.

XI. **PUBLIC PARTICIPATION (UNSCHEDULED)**

- a. **Sally Davidson, Recreation Committee.** Ms. Davidson first wanted to thank the Select Board for announcing the March 12 and 13, 2016 Winter Carnival at its last meeting. Despite the unseasonably warm weather, the participants seemed to have a good time with the chili cook-off; indoor basketball and volleyball; etc. She then requested that the Select Board look into installing some directional signs that would point residents and visitors to Memorial Park, the Municipal Pool, the Falls Park, etc. Ms. Davidson also thinks it would be good to have such signs to the Fire Station, the Police Station, etc. Manager Schulz believes that there are funds available in the Highway Department's sign budget so he will discuss this with Highway Foreman Trent Tucker. Chair Maxwell and Selectman Freeman also felt this was a good idea.

XII. **ADJOURNMENT.** Motion by Selectman Doney, seconded by Selectman Goslant, to adjourn. **Motion passed 5-0-0.**

The meeting adjourned at 8:58 p.m.

Respectfully submitted,

Kenneth L. McCann

Kenneth L. McCann, Acting Clerk

An audio recording of this meeting is available in the Town Manager's Office.

These minutes were approved at the regular Select Board meeting of April 12, 2016.